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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/825,252

04/15/2004

Christian Jackson

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23906

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03/03/2006

E I DU PONT DE NEMOURS AND COMPANY
LEGAL PATENT RECORDS CENTER
BARLEY MILL PLAZA 25/1128
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WILMINGTON, DE 19805

EXAMINER

MARTIN, LAURA E

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/825,252	Applicant(s) JACKSON ET AL.	
	Examiner Laura E. Martin	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/08/04, 9/27/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-8, 16, 17, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshihira et al. (US 20020033862).

As per claims 1 and 7, Yoshihira et al. teaches a method of inkjet printing a substrate comprising steps of providing an ink jet printer (figure 1, element 1000) that is responsive to digital data signals [0040], said printer being equipped with a printhead array which is fixed in position "fixed array" (in figure 2, nozzle arrays on cartridges 20K, 20C, 20M, and 20Y are fixed by carriage 1002) and which ejects droplets of about 1-2 pL [0038]; loading the printer with the substrate to be printed [0076]; loading the printer with the color ink jet set (figure 2, elements 20K, 20C, 20M, 20Y) comprising a cyan ink having a vehicle and at least about 2.5 percent by weight and up to about 8 percent of a soluble cyan dye, a magenta ink having a vehicle and at least about 3.6 percent by weight and up to about 10 percent of a soluble magenta dye, and a yellow ink having a vehicle and at least 3.0 percent by weight and up to about 11.5 percent of a soluble yellow dye [0053]; moving the substrate past the printhead array and printing on the substrate using the inkjet ink set in response to the digital data signals [0033].

As per claims 2 and 16, Yoshihira et al. teaches the inks of the ink set having a viscosity of less than 7 cps [0056].

As per claims 3, 6, 17 and 20, Yoshihira et al. teaches the ink set further comprising a black ink (figure 2, element 20K).

As per claims 5 and 19, Yoshihira et al. teaches the ink set having an aqueous vehicle [0085].

As per claim 8, Yoshihira et al. teaches the droplets being about 2 pL [0038].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihira et al. (US 20020033862) in view of Shimomura et al. (US 5866638).

Yoshihira et al. teaches the ink set of claim 1; however, it does not disclose the cyan dye being C.I. AB9 dye, the magenta dye being C.I. AR52 dye, and the yellow dye being C.I. AY23 dye.

Shimomura et al. teaches a cyan dye being C.I. AB9 dye, the magenta dye being C.I. AR52 dye, and the yellow dye being C.I. AY23 dye (column 26, lines 15-23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink set of Yoshihira et al. with the disclosure of Shimomura et al. in order to create a higher quality ink set.

Claims 9, 11, 12, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihira et al. (US 20020033862) in view of Arita et al. (US 20030107632).

Yoshihira et al. teaches the ink set of claim 1; however, it does not disclose the ink set having a cyan ink of at least about 4.25, 2.75, 4.9, 3.5, or 6.1 percent by weight, a magenta ink of at least about 5.1, 4.1, 5.8, 5.0, or 6.9 percent by weight and a yellow ink of at least about 6.1, 3.5, 7.2, 4.3, or 8.9 percent by weight.

Arita et al. teaches an ink set having a cyan ink of at least about 4.25, 2.75, 4.9, 3.5, or 6.1 percent by weight [0192], a magenta ink of at least about 5.1, 4.1, 5.8, 5.0, or 6.9 percent by weight [0178], and a yellow ink of at least about 6.1, 3.5, 7.2, 4.3, or 8.9 percent by weight [0191].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink set of Yoshihira et al. with the disclosure of Arita et al. in order to create a higher quality ink set.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihira et al. (US 20020033862) in view of Shingai et al. (US 6350019).

Yoshihira et al. teaches the ink set of claim 1; however, it does not disclose droplets of 1.5 pL.

Shingai et al. teaches droplets of 1.5 pL (column 12, lines 64-66).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink set of Yoshihira et al. with the disclosure of Shingai et al. in order to create a higher quality printed image.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihira et al. (US 20020033862) in view of Leopold et al. (US 6433555).

Yoshihira et al. teaches the ink set of claim 1; however, it does not disclose droplets of 1.0 pL.

Leopold et al. teaches droplets of 1.0 pL (column 8, lines 8-14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink set of Yoshihira et al. with the disclosure of Leopold et al. in order to create a higher quality printed image.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Laura E. Martin


3/1/06
MANISH S. SHAH
PRIMARY EXAMINER